

National Aeronautics and Space Administration



Headquarters

Washington, DC 20546-0001

April 26, 2019

Office of Communications

Emma Best
MuckRock News
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FOIA: 19-HQ-F-00246

Dear Ms. Best:

This is in response to your Freedom of Information Act (FOIA) request dated December 26, 2018, and received at the National Aeronautics and Space Administration (NASA) Headquarters FOIA Office on January 28, 2019. Please be advised, that due to a lapse of federal funding, we are currently responding to all FOIA requests that were sent to NASA during the Government Shutdown which lasted from December 22, 2018 through January 25, 2019, which caused the delay in responding to your FOIA request. Your request was assigned FOIA Case Number 19-HQ-F-00246 and was for:

Files mentioning or generated as a result of the 2015 claim by "AnonSec" that NASA flight and radar logs and videos and documents had been hacked, along with a Global Hawk Drone. NASA responded by stating that the footage was already publicly available, and nothing had been hacked. At the time, NASA released a statement saying, "Control of our Global Hawk aircraft was not compromised. NASA has no evidence to indicate the alleged hacked data are anything other than already publicly available data. NASA takes cybersecurity very seriously and will continue to full investigate all of these allegations."

In response to your request, a search of NASA's Office of the Chief Information Officer was conducted using the description you provided above. We located 1 document, consisting of 2472 pages, responsive to your request and it is enclosed.

We reviewed the responsive record under the FOIA to determine whether it may be accessed under the FOIA's provisions. Based on that review, this office is providing the record in part, with portions withheld pursuant to FOIA exemptions 5 U.S.C. § 552 , (b)(6), and (b)(7)(C).

FOIA Exemption 5 U.S.C. §552 (b)(6) allows withholding of “personnel and medical files and *similar files* the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” NASA is invoking Exemption (b)(6) to protect the identities of lower level NASA employees, and any information that could reasonably identify these individuals.

FOIA Exemption 5 U.S.C. §552 (b)(7)(C) protects from public disclosure “records or information compiled for law enforcement purposes [if disclosure] could reasonably be expected to cause an unwarranted invasion of personal privacy.” In conjunction with FOIA Exemption 6, NASA is invoking Exemption (b)(7)(C) to protect the identities of lower level NASA employees, and any information that could reasonably be expected to identify such individuals within this investigative record.

You have the right under 14 CFR §1206.700 to appeal this determination within 90 days from the date of this letter. Your appeal must be in writing and should be addressed to:

Administrator
NASA Headquarters
Executive Secretariat
MS 9R17
Washington, DC 20546
ATTN: FOIA Appeals

Your appeal should be marked “Appeal under the Freedom of Information Act” both on the envelope and the face of the letter. A copy of your initial request along with a copy of this correspondence and any other correspondence with the FOIA office must be enclosed. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should also contain a brief statement of the reasons you believe this response to be in error.

Prior to filing an appeal, you may contact NASA’s Chief FOIA Public Liaison, to obtain further assistance or seek dispute resolution services for any aspect of your request. You may also send correspondence to Ms. Stephanie Fox at the following address:

National Aeronautics and Space Administration (NASA)
Freedom of Information Act Unit
NASA Headquarters
Attn: Stephanie Fox
Chief FOIA Public Liaison
300 E Street, S.W., 5P32
Washington D.C. 20546
Email: stephanie.k.fox@nasa.gov
(Fax) 202-358-1553

Additionally, you may contact the Office of Government Information Services (OGIS) at the national Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
[Telephone: \(202\) 741-5770](tel:(202)741-5770)
[Toll free: 1-877-684-6448](tel:1-877-684-6448)
[Fax: \(202\) 741-5769](tel:(202)741-5769)

Important: Please note that contacting any agency official including the undersigned or NASA's Principal FOIA Officer and/or OGIS referenced above is not an alternative to filing an administrative appeal and does not stop the 90 day appeal clock.

In accordance with § 1206.804 (c), after consultation with the NASA Headquarters General Counsel Office, I am the official responsible for the denial of your request.

In accordance with NASA's FOIA Regulation fees are over the amount you are willing to pay for this request. However, due to the nature of this document we are providing it at no cost to you. If I can be of further assistance please feel free to contact me at hq-foia@nasa.gov or (202) 358-2462.

Sincerely,



Josephine Sibley
Headquarters
FOIA Public Liaison Officer